

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

ROBERT FENNELL, :  
Plaintiff, :  
v. : Case No. 3:12-cv-21-KRG-KAP  
CORRECTIONS OFFICERS HALE and :  
LEVERKNIGHT, :  
Defendants :

Memorandum Order

This matter was referred to Magistrate Judge Keith A. Pesto for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. § 636 and Local Civil Rule 72.

The Magistrate Judge filed a Report and Recommendation on June 14, 2016, ECF no. 117, recommending that summary judgment be granted to the remaining two defendants on the plaintiff's remaining claim.

The parties were notified that pursuant to 28 U.S.C. § 636(b)(1), they had fourteen days to file written objections to the Report and Recommendation. Plaintiff subsequently filed an interlocutory appeal from the denial of a previously filed motion for appointment of counsel, see ECF no. 119, but no one has filed objections and the time to do so has expired.

After review of the Report and Recommendation, and noting the lack of objections thereto, the following order is entered:

AND NOW, this 20<sup>th</sup> day of July, 2016, it is

ORDERED that summary judgment is granted to defendants Hale and Leverknight on the remaining claim in this matter. The Report and Recommendation is adopted as the opinion of the Court. The Clerk shall mark this matter closed.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Kim R. Gibson". The signature is written in a cursive, flowing style. The first part of the signature, "Kim", is written in a larger, more prominent script, followed by "R." and "Gibson".

KIM R. GIBSON,  
UNITED STATES DISTRICT JUDGE

Notice to counsel of record by ECF and by U.S. Mail to:

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